
Report to the Community

The 2010 Annual Report of the Minnesota Judicial Branch



**MINNESOTA
JUDICIAL
BRANCH**

Letter from the Chief Justice

Dear fellow Minnesotans,

The 315 judges and 2,500 employees of the Minnesota Judicial Branch have been working hard to be able to continue to fulfill our Constitutional charge to ensure “a remedy for all injuries or wrongs to person, property or character...promptly and without delay” in an era of shrinking resources.

These challenging economic times have given all of us in government an opportunity to improve how we do the people’s work. We, in the Judicial Branch, have embraced this opportunity. We are implementing state-of-the-art information technology to automate work once done by hand, eliminating redundancy and speeding case processing, and improving public access to the courts. We are employing innovative adjudicatory strategies to resolve cases faster and more effectively for the parties involved, and to improve public safety.

As a result, 2010 was a year of great progress. After several years of planning and preparation, many new efficiencies and innovations came to fruition, which are now lowering costs and streamlining case processing. This report details many of those innovations and the remarkable progress that have been made.

The Judicial Branch is committed to innovation and redesign to improve the efficiency and effectiveness of Minnesota’s justice system. Minnesota’s Judicial Branch is necessary government, and it is good government.

Sincerely,

Lorie Skjerven Gildea
Chief Justice
Minnesota Supreme Court

The Minnesota Judicial Branch

The Judicial Branch Mission

To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.

Judicial Branch FY2010 Budget

\$247,384,000 - District Courts
\$42,997,000 - Supreme Court/State Court Administration
\$10,178,000 - Court of Appeals
\$300,559,000 - Total

Judicial Branch Staff and Judges

2,595 - Permanent full-time employee positions authorized
315 - Number of authorized judgeships
Supreme Court- 7
Court of Appeals- 19
District (Trial) Courts- 289

Judicial Districts: 10

Number of Judicial Branch hearing facilities: 101

Oldest Courthouse: Washington County Courthouse, 101 West Pine Street, Stillwater, 1869.

Number of Courthouses on the National Register of Historic Places: 62

Justice Lorie Skjerven Gildea Named Chief Justice



Lorie Skjerven Gildea was appointed Minnesota's 22nd Chief Justice by Gov. Tim Pawlenty on May 12, 2010, taking office July 1. Prior to her appointment she had served as a Supreme Court associate justice since January 2006.

Prior to being appointed to the Supreme Court, she served as a judge in the Fourth Judicial District (Hennepin County) and a prosecutor in the Hennepin County Attorney's Office. Prior to that she served as Associate General Counsel at the University of Minnesota and worked as an attorney in a private litigation practice in Washington, D.C.

During her term on the Supreme Court as an associate justice, she chaired the Supreme Court Gender Fairness Implementation Committee and served as the court's liaison to the Board of Legal Certification, the Juvenile Protection Procedure Rules Committee, and the General Rules of Practice Committee.

Chief Justice Gildea earned her B.A. from the University of Minnesota Morris, and her J.D., magna cum laude, from Georgetown University Law Center. She has been a member of the Minnesota Sentencing Guidelines Commission, the Board of Directors of the YWCA of Minneapolis, and the MINNCOR Industries Advisory Board.

Eric J. Magnuson Leaves the Court



On March 11, 2010, Minnesota Supreme Court Chief Justice Eric J. Magnuson announced that he would leave the state's highest court, effective June 30, 2010.

“It has been my privilege to serve as Chief Justice of the Minnesota Supreme Court for the past two years,” Magnuson said in a letter to Governor Tim Pawlenty. “I have found the position to be both challenging and rewarding. However, for reasons personal to me and my family, I have decided to step down and return to private practice.”

As Chief Justice, Magnuson served as chair of the Judicial Council, the policy-making body of the Judicial Branch. He spearheaded a number of collaborations in efforts to build support for adequate funding for the justice system, and to identify ways to make the justice system more efficient. He also championed the increased use of technology in court operations.

Magnuson was named Minnesota's 21st Chief Justice on Mar. 17, 2008, by Governor Pawlenty, taking office June 2, 2008. As Chief Justice, Magnuson was an energetic advocate for the Judicial Branch, traveling extensively throughout the state and speaking often to community groups, students, and local public officials.

The Year In Review

The year 2010 was a busy one for the staff and judges of the Minnesota Judicial Branch as they worked to complete an ambitious agenda of innovation and reform laid out by the Judicial Council. While planning for many of these innovations began in previous years, much of the final implementation took place in 2010. The technology innovations and process re-engineering detailed in this report reflect our response to the economic and demographic challenges facing our state, and our commitment to ensuring that timely justice remains a basic right of all Minnesotans.

Court Payment Center

By far the Branch's most ambitious initiative is centralizing the processing of payable citations. Of the 1.7 million cases the courts handle each year, about 1 million are payable citations: traffic, DNR tickets, and ordinance violations. The Branch is completely re-engineering how these cases are processed by moving the work from the courthouses in Minnesota's 87 counties to a new, centralized, payment center using fewer, lower paid employees working from home offices. Much of the data entry and accounting functions involved in recording payments, including the distribution of fine and fee revenue to state and local government is being automated. In the past, this work has been done manually by court staff.

The implementation of the Court Payment Center is reducing the manpower needed to process these cases, freeing employees to work on cases. It allows customers to pay their fines 24/7 through the Judicial Branch website (www.mncourts.gov) or over the phone by credit card. By making it easier to pay by credit card and automating the referral of unpaid debt to our collections vendor, increase revenue collection for counties, municipalities, and state government is expected.

E-Citations and E-Charging

The Court Payment Center has also helped accelerate the pace of local law enforcement implementing e-citations. This allows traffic citations to be entered into squad car computers and sent electronically to the courts case management system, automatically updating court records. This effort saves time for law enforcement and court staff, avoiding duplicative data entry and errors. In 2010, about 470,000 citations were filed electronically.



The Kandiyohi County Courthouse in Willmar, MN, is home to the Court Payment Center.

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That number is expected to grow rapidly in 2011. Citations still being issued on paper are being processed by court staff working from home offices or at the Payment Center office in Willmar. By the end of 2010, 75 percent of the implementation for 85 courts had been completed, with the remainder on schedule to be completed by June 20, 2011. The effort and timeframe to transition Hennepin and Ramsey district courts to the Court Payment Center are currently being assessed.

While many court staff have been working on the transition to a central Court Payment Center, others have been working with the Minnesota Bureau of Criminal Apprehension and city and county attorneys to institute the electronic filing of criminal complaints. Electronic filing significantly reduces the time and work it takes prosecutors, law enforcement officers, and judges to complete the complaint filing process. By the end of 2010, 18 courts had instituted the e-filing of complaints. The goal is to expand the practice statewide in 2011, speeding case processing and reducing redundant effort and labor costs.

Real Time Justice Information Exchange

Work continued on increasing data sharing between the Minnesota Court Information System (MNCIS) and information systems operated by the Branch's justice system partners. By the end of 2010, more than 50,000 case-related data exchanges were taking place each day, sending partners up-to-date information on cases and persons involved in state court cases. This integration includes vital information such as notification of criminal case filings, release and conviction information, issuance and recall of arrest warrants, violation of probation, and court scheduling to people and offices that need to know - replacing what was a cumbersome, labor-intensive, and costly manual information gathering process.

E-Filing



The effort to bring new information technologies to bear on case filing also included the development of a civil case e-filing pilot project in Hennepin County District Court. Six local law firms volunteered to work with court staff to develop a software application that will allow cases to be electronically filed directly by attorneys into the court case information system with minimal court staff involvement. The pilot was recently expanded to include Ramsey County District Court, with the goal of expanding civil e-

filing statewide over the next biennium or two. Civil e-filing has the potential to significantly reduce the amount of time court employees spend opening new cases.

Conservator Reporting

The past year saw the implementation of a new Web-based reporting system for court-appointed conservators, with the goal of reducing paperwork and improving court oversight of conservator accounts. The Conservator Account Monitoring Preparation and Electronic Reporting system (CAMPER) is thought to be the nation's first statewide conservator reporting system and is being held up as a model by national groups such as the Center for Elders and the Courts. The new reporting system allows the Judicial Branch to conduct periodic standardized audits with an emphasis on deterring inappropriate or fraudulent conduct by conservators.

Digital Court Reporting



Hennepin County District Court Reporter Jeff Bunday monitors multiple courtrooms simultaneously.

A verbatim record of all court proceedings is a requirement of the public nature of district court work, and often provides the basis for a possible appeal of the final decision. Remote video monitoring technology installed in Hennepin County District Court now enables a single court reporter to remotely monitor by video up to four courtrooms simultaneously and to use digital recording to make the official record. This remote video technology has been implemented in district courts in Ramsey and Stearns Counties, as well as in the Eighth Judicial District.

Remote Interpreting

The provision of a competent court interpreter for court users who have limited English proficiency is required by federal and state law because understanding court proceedings in which one's liberty or property may be at stake is fundamental to justice.

The number of non-English speaking persons in Minnesota courts has increased dramatically over the last decade. Finding competent interpreters, especially for short hearings outside of the Twin Cities metropolitan area, is difficult and expensive. In 2010, Minnesota courts spent more than \$3.6 million on interpreter service for more than 29,000 interpreted court events. In the effort to contain costs for short hearings some courts have turned to remote interpreting by video conferencing and telephone.

In October 2010, Hennepin County District Court began using its Spanish staff interpreter located in the Hennepin County Government Center (HCGC) to interpret by interactive television (ITV) for short hearings taking place in its five satellite court facilities. The same month, the first cross-county ITV interpreted hearing took place when a staff interpreter located in the HCGC interpreted for a 15 minute bail hearing in Carver County. The Branch expects to expand this promising initiative as technology funding and bandwidth allow.

ITV Use Expanded



Assistant Chief Judge Donald Spilseth utilizes ITV in a courtroom in the Kandiyohi County Courthouse while Chief Justice Lorie Gildea observes.

In June, the Supreme Court promulgated new Rules of Criminal Procedure that allow for greater use of ITV in criminal proceedings after concluding that it could help decrease the costs by reducing the need for transportation and shortening local confinement.

ITV has been used for years by the Court of Appeals for oral arguments, and by child support magistrates hearing cases involving child support disputes. The technology allows judges and magistrates to hear cases involving parties from around the state without the cost and time of extensive travel.

ITV is also being used, along with Web conferencing, to reduce the cost of staff and judge training. As budget constraints have forced the reduction of travel-intensive in-person conferences, use of distance learning technologies has been increased. In the last quarter of 2010, more than 1,000 judges and court employees were trained using ITV, Web conferencing, and video tutorials.

Juror Qualification Questionnaire Now Online

Each year, more than 160,000 Minnesotans are summoned by their local court for jury duty. Beginning in 2010, persons receiving a juror summons have been able to fill out and submit the required juror qualification questionnaire through the Judicial Branch Website, www.mncourts.gov. The Website also provides helpful information about jury duty and a juror orientation video.

Access To Justice Expanded Through the Internet

Persons needing access to Minnesota's courts are finding it easier to do their business, thanks to a number of services now available through the Judicial Branch Website: www.mncourts.gov.

Case Records Online

Many case records are available through a Web-based case look-up service. Users can find the case register of actions for criminal, traffic, civil, family, and probate cases, as well as information about judgments and court calendars. More than two million searches were conducted through the public case look-up service in 2010.

Website visitors can also track the progress of appeals in the Court of Appeals and Supreme Court, as well as view opinions and orders through the appellate courts' case management system, P-MACS. Archived webcasts of all Supreme Court oral arguments can also be viewed through the website. In 2010, Supreme Court oral argument webcasts were viewed more than 30,000 times.

Virtual Self-Help Services

One of the most significant trends in recent years has been the growth in the number of litigants who choose to represent themselves in court, often because they cannot afford to hire a private attorney. Because litigants without legal representation often require additional support from court staff, the Judicial Branch has invested in developing an extensive Self-Help support system.

The Judicial Branch Website includes a Self-Help Center that provides information on common court issues in easily understood language. It includes information in English, Spanish, Hmong and Somali, and includes several self-help videos for people involved in or considering filing a case. Many of the videos are closed-captioned for use by hearing-impaired viewers. In 2010, the Self-Help Center Website was visited more than 585,000 times.

Each courthouse now has a computer workstation available for use by the public with access to the online Self-Help Center and has telephone support during limited hours. In 2010, the service received more than 14,800 calls and 1,700 emails from people seeking assistance.

The Self-Help Center staff also provided free legal education through numerous workshops throughout the state.



Hennepin County District Court, the state's busiest, provides staffed Self-Help centers in the Hennepin County Government Center and the Hennepin County Family Justice Center. In 2010, the two centers assisted more than 35,500 people.

Innovation Through Collaboration

Collaboration with other members of the justice system has long been a Judicial Branch hallmark. Prosecutors, law enforcement leaders, public defenders, private attorneys, and members of civic groups serve on numerous Supreme Court rules committees and advisory boards.

Since 2008, the Judicial Branch has hosted regular meetings with members of two groups in an ongoing effort to identify ways to make Minnesota's justice system more efficient, less costly, and easier to access. The Criminal Justice Forum, which includes members of law enforcement, prosecutors and public defenders, among others, has focused on ways to streamline the criminal justice system. The Civil Justice Forum, comprised mostly of private attorneys and representatives of the Minnesota State Bar Association, has focused on identifying ways to streamline Minnesota's civil justice system. As a result of the group's work, Chief Justice Lorie Gildea formed a task force to explore ways to better manage civil litigation. The Civil Justice Reform Task Force was scheduled to begin its work in early 2011.

Innovative Adjudicatory Strategies in Family Law

No area of the law is in greater need of innovation and redesign than family law because of the high cost, delay, and acrimony that often accompany divorce cases, and because of the toll it can take on the children involved. Several years ago, judges in Hennepin County Family Court developed an alternative approach involving two parts—Early Case Management by the judge and Early Neutral Evaluation by trained professionals.

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The Initial Case Management Conference is held where the parties and attorneys appear before the judge within three weeks of case filing. At the initial conference, the judge helps the parties identify their major issues and speaks candidly to the parties about their ability to control the cost and length of time the case lasts. A number of cases settle during or as a result of this conference. If the case is still not settled, the judge recommends that the parties consider Early Neutral Evaluation.



Early Neutral Evaluation is a voluntary, confidential process focused on generating durable settlements in child custody and parenting time cases. The evaluation is conducted by a male and female team to avoid any appearance of gender bias and often pairs one attorney with one mental health provider. The evaluators are experienced professionals who listen to a summary of the case from each party, then confer and return to report to the parties their opinions of what the court is likely to decide should the case go to trial. This information helps the parties focus on a realistic assessment. In a majority of the cases the parties come to a settlement on their own upon hearing the evaluators' analysis.



A financial component has also been developed in which financial and marital estate issues are addressed. Financial evaluations are conducted by one trained financial evaluator, either male or female, who follows the same pattern as those dealing with custody and parenting time.

The evaluation is scheduled soon after the initial case conference—usually within three weeks -- and typically take about three hours. This is in contrast to the traditional custody evaluation which takes typically 40 or more hours, costs several thousand dollars and often takes many months to complete, delaying resolution of the case.

The settlement rate under this innovative approach ranges from 60-95 percent. Pilots have been implemented in every district and the positive results are the basis for efforts to expand this to all parts of the state.

The Minnesota Court of Appeals began an appellate mediation pilot project in September 2008. In 2010, 79 cases were referred to mediation with a court-approved mediator. More than half of those cases were settled and voluntarily dismissed, thereby saving litigants the time, money, and stress of litigation and, at the same time, reducing the court's pending caseload in an efficient manner. The cases that did not settle were returned to the regular appellate process for briefing and oral arguments. The mediation program became permanent with the adoption of new rules in January 2011. The Court provides litigants with helpful information about the mediation program by mail and on its Website.

Drug Courts and Other Problem-Solving Strategies

Minnesota has been a pioneer in the use of special court calendars devoted to addressing specific types of cases. In these “problem-solving courts” the court works closely with prosecutors, public defenders, probation officers, social workers, and other justice system partners to develop a strategy that will encourage an offender to complete a treatment program and abstain from repeating the behaviors that bring them to court.



Ramsey County District Court Judge Joanne Smith presides over a Ramsey County Substance Abuse Court graduation.

In 2010, the Judicial Branch operated 38 drug courts. Court strategies include extended probation, frequent appearances before a judge, frequent meetings with probation officers, staggered sentencing that breaks up jail time into segments and allows the participant to “earn” reductions in jail time with good behavior, and random alcohol and drug testing. Research shows that this approach is more effective than traditional adjudication strategies at reducing repeat offenses and can improve public safety and save taxpayers money because of the reduced need for incarceration and social services. An evaluation of Minnesota drug courts that will study outcomes, recidivism, and jail and prison use is due to be completed by December 2011.

Several Minnesota drug courts were recognized in 2010. The Fifth Judicial District received the



Senior Judge Richard Hopper presides over Veterans Treatment Court proceedings.

2010 County Achievement Award from the Association of Minnesota Counties (AMC) for their work in establishing problem-solving courts in their district. The Ramsey County Adult Substance Court was named one of 10 mentor courts by the National Drug Court Institute, which are considered models for other courts to mirror. The Joint Powers Agreement between the Judicial Branch and Tribal Courts in Leech Lake and Cass and Itasca counties has been praised as a national model for state/tribal cooperation.

In 2010, the state's first Veterans Treatment Court began in Hennepin County. The court works closely with the Department of Veterans Affairs to ensure that military veterans who are defendants in the justice system receive needed chemical dependency and mental health treatment and remain law-abiding.

Independent Guardian Ad Litem Board Created

In 2010, at the request of the Judicial Council, the Minnesota Legislature transferred the responsibility and funding for the statewide Guardian ad Litem (GAL) program from the court system to a new Guardian ad Litem Board, located within the Judicial Branch but not subject to the administrative control of the courts.

The purpose of the GAL program is to provide Guardians ad litem in juvenile and family court cases to advocate for the best interests of children, minor parents, and incompetent adults. After 10 years under the authority of the state-funded court system, the GAL Program was transferred to the supervision of an independent Board to avoid the appearance of a conflict of interest of the judiciary supervising the funding and appointment of GALs who are a party to a case before the court.

The GAL Board consists of seven members; three appointed by the Supreme Court and four appointed by the Governor. The Supreme Court appoints the chair of the Board from among the entire membership for a term of two years. The Court's appointees include: Richard T. Jessen of Foley; Cyrenthia Shaw of Brooklyn Park; Mark Toogood of Minneapolis.

In addition, Leslie M. Metzen of Sunfish Lake, was appointed to the Board by Governor Tim Pawlenty and appointed chair by the Supreme Court. Governor Pawlenty also appointed: Barbara J. Fabre of Ogema; Robert Quinn Sawyer of Rochester; and Wright S. Walling of St. Louis Park.

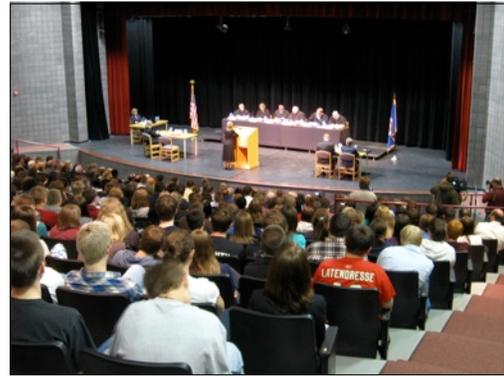


Community Outreach

Each year the Judicial Branch undertakes a number of initiatives to help the public better understand the role of the courts in our democracy and in the justice system. In 2010, judges and administrators spoke at more than 400 events at schools, civic groups, and community events, reaching over 12,000 Minnesotans.

Every spring and fall the Supreme Court holds oral arguments in a high school to bring the work of the Court to the community and to promote public understanding of the important role of the Judicial Branch in our democratic society. The arguments are followed by a question and answer session with students, lunch with students, and visits to classrooms. During the fall visit, the Court hosts a community dinner open to the public.

In May 2010, the Supreme Court's traveling oral argument program was held at New Prague High School. In October, the court visited Rochester Mayo High School, with students from three area high schools attending. A community dinner attended by more than 150 area citizens was held at the Rochester International Events Center in conjunction with the visit. More than 1,600 students participated in the events.



The Minnesota Supreme Court hears oral arguments in the auditorium at New Prague High School.



Supreme Court Associate Justice Christopher Dietzen answers a student question at Rochester Mayo High School.

The Court also holds oral arguments at area law schools, giving law students an opportunity to observe the court in action and to interact with the justices.

The Minnesota Judicial Center in St. Paul is the home of the Supreme Court, the Court of Appeals, and State Court Administration. In 2010, more than 1,390 people, including 1,200 Minnesota school students, visited the Judicial Center and the historic courtroom in the State Capitol. Visits and tours are arranged through the State Court Information Office.

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The Judicial Branch partners with several organizations throughout the year, providing support through use of court facilities and judge and staff volunteers. During the 2010 YMCA Youth in Government Model Assembly program held at the Minnesota Capitol Complex, Supreme Court justices and Court of Appeals judges helped prepare students for service as judges, and administered oaths of office to Youth Executive, Legislative, and Judicial Branch officials.

Supreme Court justices and Court of Appeals judges spoke to more than 175 high school juniors participating in the Minnesota House of Representatives High School Legislative Page Program.

William Mitchell College of Law's Future in Learning Law (FILL) program brings students interested in a legal career to the Judicial Center to visit courtrooms and meet with appellate judges to learn more about the judiciary.



Court of Appeals Judges Terri Stoneburner (L) and Michelle Larkin (R) serve lunch at the Dorothy Day Center.

Minnesota Supreme Court justices and Court of Appeals judges, retired judges, law clerks, and court staff served lunch to more than 600 persons at the Dorothy Day Center in St. Paul on May 28, 2010. Judges and staff have served more than 4,100 meals during these events over the past eight years.

“The District Court Show,” a monthly half-hour television program featuring topics of interest about the courts, was produced and hosted by Tenth Judicial District Judge Steve Halsey. The program is broadcast throughout the district.

Second Judicial District (Ramsey County) judges

Gary Bastian and Judith Tilsen co-host a public affairs program on area cable television stations.

In 2010, several Minnesota judges published columns in area newspapers explaining the business of the courts and making the legal process more understandable for non-lawyers. Judges Shaun Floerke (Duluth), Greg Galler (Stillwater), Steve Halsey (Buffalo), Paul Rasmussen (Clearwater) and Randy Slieter (Renville) all wrote columns. Reader responses suggest that these columns are well-read and considered useful.

Around the Branch in 2010

First Judicial District

Dakota Court ENE Pilot Begins

Dakota County District Court began implementation of a pilot program for family law cases involving children. The Early Neutral Evaluation (ENE) program began on June 11 with six judges on the rotation. The program is attempting to divert divorcing parents to neutral evaluators early in the court process to provide the opportunity to resolve the issues surrounding their dissolution through mediation. The parties can choose a financial evaluation by a neutral party to help resolve financial disputes, or a Social ENE to help resolve custody and parenting time disputes, or both.

Community Dialogue Held in Chaska

On April 27, the First Judicial District Equal Justice Committee in partnership with various local community organizations, held a two-hour Community Dialogue Session on racial and ethnic fairness in the courts at the Chaska Community Center in Chaska. Approximately 50 people attended the session, including citizens and criminal justice system representatives.

The session was co-facilitated by First District Judge Joseph T. Carter and Pastor Gordon Stewart, Shepherd of the Hill Presbyterian Church, Chaska. Maureen Farrell, Restorative Practices Coordinator for the Carver County Sheriff's Office, assisted.

“It was a spirit of listening that made the night a success,” said Pastor Stewart. “I salute the Equal Justice Committee in its efforts to maintain and improve one of the best judicial systems in the nation.”

The Equal Justice Committee has approximately 30 members including judges, attorneys, court administrators, Guardians ad Litem, and others involved in the law enforcement, corrections, and justice systems. The Committee sponsored the dialogue session, its third, as part of its efforts to educate citizens of color on the purpose and operation of the courts and to listen to the perspective of local communities of color on what they believe the court can do better with respect to understanding them.

Second Judicial District

Adult Substance Abuse Court Recognized as National Leader

The Second Judicial District's Adult Substance Abuse Court (ASAC) was selected by the National Drug Court Institute as one of 10 adult mentor courts in the United States. The program will serve as a model and play a significant role in drug court training, technical assistance, and research.



Ramsey County Drug Court participants at a Capitol Rally.

What began as a pilot program on October 2002, is now an institutionalized business practice within the court system. The program has had 332 participants and 108 graduates since it began. The ASAC has been able to successfully provide a highly structured environment to program participants which promotes sobriety, self-sufficiency, and decreased criminal behaviors in a strength-based, supportive approach. The goal to reduce recidivism and enhance public safety.

The program is funded by the Legislature, federal grants and matches with court partners, including other criminal justice agencies, which provide staff positions. Collaboration with court partners continues to be a cost-effective strategy that utilizes budgets in a more comprehensive, cohesive manner.

Evidence-Based Decision Making in Local Criminal Justice System Initiative

The Second District is one of six jurisdictions in the United States selected by the National Institute of Corrections and the Office of Justice Programs to participate in the Evidence-Based Decision Making in Local Criminal Justice Systems Initiative.

The initiative focuses on the Framework for Evidence-Based Decision Making in Local Criminal Justice Systems. The Framework describes important criminal justice decision points and evidence-based knowledge about effective justice practices. With the goal of reduced risk and harm in the criminal justice system, the objective is to lay out practical local level strategies for applying the principles and techniques. The chief judge and leaders from the criminal justice agencies comprise the Policy Team.

As one of the seed sites, the Second District is given technical assistance to prepare for pilot testing and evaluation of the Framework. Third-party organizations will evaluate six jurisdictions across the country to determine the effectiveness of the technical assistance and the readiness of each site. At the conclusion of the year-long initiative, at least two of the six sites will be selected to participate in Phase III of the initiative.

Third Judicial District

Mower County Justice Center Opens



Judges and employees of Mower County District Court moved into the new Mower County Justice Center in September. The first floor holds the county jail and jail administration. The second floor is occupied by the judges, court administration, probation, and the Mower County Attorney. The new courthouse contains three courtrooms, two of which are jury ready. The third is a hearing room. The courtrooms are large enough to handle multiple parties and the media, as well as expanded space for jurors. There is a

secured detention area between the two main courtrooms for in-custody defendants to be brought up by elevator for their court appearances, a first for the court. Judges and court employees say the new facility provides increased space, efficiency, and security.

Fourth District

Hennepin County District Veterans Court Begins

Minnesota's first court dedicated to cases involving military veterans began operation in Hennepin County District Court. Patterned after similar courts across the country, the Hennepin County Veterans Treatment Court brings together parties from the criminal justice system and the Department of Veterans Affairs to focus on the specific needs of veterans.

A Justice Department study in 2000 found that one in 100 veterans was behind bars, and that veterans account for roughly 10 percent of people with criminal records. In Minnesota, seven percent of the state's prison population are veterans. Studies suggest those who have seen combat are a much higher percentage of that group.

Veterans courts are in response to the realization that veterans may benefit from specific interventions and plans, and that their military experiences may be contributing factors for why they are in court.

Juvenile Detention Reduced

The Hennepin County Juvenile Detention Alternatives Initiative (JDAI) reported a 10 percent reduction in the average daily population of the Hennepin County Juvenile Detention Center (JDC) from 2009 through the third quarter of 2010 by using community-based programs as an alternative. The focus of JDAI is on policy changes and community-based programs designed to support youth and eliminate the unnecessary use of secure detention.

Hennepin County's JDAI, modeled after the national JDAI vision, is a collaborative effort of the courts, probation, police, county attorneys, public defenders, schools, human services, and community members to create an effective, fair, and efficient juvenile justice system that produces positive outcomes for youth, while at the same time protecting public safety.

“The initiative is helping us avoid the negative behaviors that can develop from having a juvenile who has committed a low-level offense -- like curfew violation -- placed in secure detention with youth far more deeply involved in the system,” said presiding Family Court Judge Tanya Bransford.

Co-Parent Court Will Serve Unmarried Parents

Hennepin Co-Parent Court pilot project began operations in June 2010. The Co-Parent Court provides support services and incentives to help unmarried parents develop the skills and knowledge to be involved parents – both financially and emotionally – and to develop a healthy co-parenting relationship. Hennepin County Human Services and Public Health are the fiscal agents. The program received support funds of \$150,000 from the McKnight Foundation, \$271,000 from the Minnesota Department of Human Services, and \$40,000 from the Otto Bremer Foundation.

Each year, more than 5,000 children – about one-third of all births – are born to unmarried parents in Hennepin County. This rate is substantially higher for young parents or parents of color. Through its child support program, Hennepin County District Court establishes paternity for approximately 1,000 children every year, in addition to 2,000 unmarried fathers who sign the Recognition of Parentage that establishes legal fatherhood. Studies have found that children born to unmarried parents are at greater risk for poverty and a wide range of adverse health, behavioral, and academic outcomes.

Co-Parent Court includes domestic violence screening, educational programs for parents, and access to various services. A project pilot will randomly assign 300 parents (approximately 15 percent of the total number of parents) to participate each year for three years.

Goals of the court include: Improved outcomes for children by helping unmarried parents work together to parent; remedied disparities between married and unmarried parents in judicial processes and resources; families and the systems that serve them encouraged to consider the emotional and social contributions of nonresidential parents – primarily fathers – in addition to their economic contributions; reduced conflict between parents and decreased judicial and other resources needed to resolve disputes.

Fifth Judicial District

Counties Association Honors Fifth District Drug Courts

The Fifth Judicial District Drug Courts received the Association of Minnesota Counties (AMC) 2010 County Achievement Award. The multi-county adult drug court serves Faribault, Martin, and Jackson counties. Award winners had to provide lessons for other counties to draw from; be highly innovative in nature; result in tangible benefits for the community, such as reduced costs, higher efficiencies, or improved systems or services; or require substantial initiative, leadership, and commitment.

Sixth Judicial District

Sixth District Administration Moves to Duluth Courthouse

The Sixth Judicial District Administration office moved from its office in downtown Duluth to expanded facilities in the St. Louis County Courthouse, a move that court officials said has resulted in cost savings and increased efficiency. The District has experienced reduced staffing levels due to funding shortages. In response, two court administration positions were consolidated with the combination of the Duluth and Range court administration offices. Management of probate cases and psychological exams was also consolidated into one office.



E-citations and E-complaints Filed

The District worked with a law enforcement and prosecution consortium, Nemesis, to implement the filing of e-citations by law enforcement and e-complaints by county and city prosecutors. The Sixth District also worked with the Duluth District of the State Patrol to pilot the use of e-citations, with the goal of expanding the State Patrol's use of e-citations throughout the state.

Volunteer Court Attendants on the Way

After the loss of some bailiff services from the St. Louis County Sheriff, the District completed a collaborative planning effort that will result in creation of a volunteer court attendant program in 2011.

Seventh District

Mille Lacs County Justice Center Opens

Judges and staff from Mille Lacs County District Court moved into their new home in the Mille Lacs County Justice Center in Milaca in April. The center has four judge chambers, as well as three jury courtrooms large enough for felony trials, each with its own deliberation room. A new hearing room will be used for traffic court and child support hearings. There are also secure cells on each floor for in-custody defendants who are brought over from the jail via a secure tunnel under the building. Previously, in-custody defendants entered the building through the public car park and a public elevator and were required to sit in shackles in the courtroom until their hearing.



Clay, Stearns Courts Begin ENE Programs

Clay County District Court started an Early Neutral Evaluation (ENE) program in September. The program calls for Early Case Management by the judge with Initial Case Management Conferences, and offers parties Early Neutral Evaluations, informal discovery, and other tools that can help reach settlement.

Eighth Judicial District

Veterans Aided by New Court Process

A collaboration of the courts and veterans services organizations worked to develop a new court process designed to assist veterans suffering from psychological issues that aims to get veterans the help they need in lieu of sending them through the prison system. Under the new program, if a veteran is found guilty of a criminal offense, part of the jail sentence may be suspended on the condition that the veteran get the treatment they need. A probation officer monitors the treatment progress and reports back to the judge. Court officials believe the program is the first of its kind in a rural area.

Ninth Judicial District

Courts Honored for Reducing Drunk Driving

Beltrami County DWI Court was honored by Minnesotans for Safe Driving (MSD) on May 26, 2010, for its efforts to reduce drunk driving and improve highway safety. MSD assists victims of traffic crashes and educates the public about the dangers of impaired and drunk driving.

Tenth Judicial District

Sherburne County District Court Addresses Alcohol and Drug Issues

A Sherburne County District Court program designed to address the treatment and recovery needs of alcohol and drug dependant adults incarcerated in the county jail in order to reduce the number of chemical related arrests and convictions is reducing recidivism and jail costs, according to an independent study of the program's first two years.

The study found that 104 of the 150 participants have graduated. Since the program began in February 2008, jail days suspended as a result of program participation resulted in a savings of \$115,920 in local incarceration expenditures. The evaluation concluded that re-arrest data results, while incomplete, are encouraging. In addition to addiction treatment, participants are enrolled in a mentorship program that involves nine months of highly-structured individual supervision of offenders.

Statewide News

Minnesota Judges Complete Science, Technology Program

Minnesota District Court Judges Robert Benson (Fillmore) and John Scherer (Stearns) and Court of Appeals Judge Renee Worke completed the 18 month Advanced Science and Technology Adjudication Resource (ASTAR). During that time they attended a rigorous 120 hour curriculum – most of it on weekends -- led by some of the country's top scientists, learning about scientific methodology and court-related science and technology evidence and issues.

As part of their work they helped prepare a science reference desk book that is now available to Minnesota judges handling complex cases involving technology and science. They have also agreed, as part of their participation in ASTAR program, to serve as resources for judges handling cases that involve these complex issues.



Judge John Rodenberg Honored By State Bar Association

Fifth Judicial District Judge John Rodenberg (Brown County) was honored for “outstanding efforts of public service” by the Minnesota State Bar Association with the Rosalie E. Wahl Judicial Award of Excellence. Rodenberg, who is based in New Ulm, received the award May 14, 2010, at a ceremony in St. Paul.

The award of Excellence recognizes a judge who, like former Supreme Court Justice Wahl, is highly regarded not only for work as a judge, but also for dedication to and tireless efforts on projects improving the justice system. In addition to his work on the bench, Judge Rodenberg serves as Vice-Chair of the Judicial Council.

Priorities & Strategies for Minnesota's Judicial Branch FY2010-FY2011

STRATEGIC GOAL 1: ACCESS TO JUSTICE

Priority 1A: Demonstrate the need and build support for obtaining the resources needed to insure the provisions of and access to justice

Priority 1B: Continue efforts to fully integrate the Minnesota Court Information System (MNCIS) and to maximize its use through continual training

Priority 1C: Implement technological initiatives aimed at reducing workloads for court administration staff

Priority 1D: Provide centralized self-represented litigant services to Minnesotans

Priority 1E: Plan for access and service delivery levels in the context of anticipated future fiscal constraints

STRATEGIC GOAL 2: ADMINISTERING JUSTICE FOR EFFECTIVE RESULTS

Priority 2A: Integrate a judicial problem-solving approach into court operations for cases involving alcohol and other drug (AOD) addicted offenders

Priority 2B: Provide early resolution of family law cases

Priority 2C: Begin planning for a multi-disciplinary task force aimed at examining family law in general and the family court process (trial and appellate levels) to identify areas where improvements could be made

Priority 2D: Evaluate and, if appropriate, expand the Family Appellate Mediation Pilot Program

STRATEGIC GOAL 3: PUBLIC TRUST, ACCOUNTABILITY, AND IMPARTIALITY

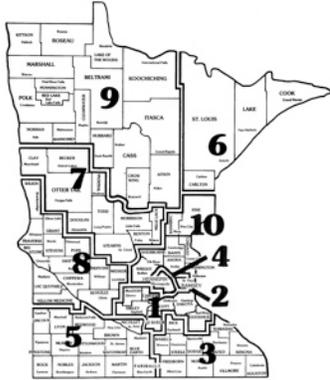
Priority 3A: Continue the performance standards implementation initiative

Priority 3B: Continue efforts to implement education and development opportunities for Judicial Branch employees

Priority 3C: Recognize the 20th Anniversary of the Race Fairness in the Courts Study

Priority 3D: Encourage and facilitate communication and collaboration between the Minnesota Judicial Branch and Minnesota Tribal Courts

District Courts



289 Judgeships, 10 Judicial Districts

Jurisdiction: Civil Actions, Criminal Cases, Family, Juvenile, Probate, Violations of City Ordinances

Appeals from: Conciliation Court*

Conciliation Division: Civil Disputes up to \$7,500

*Called trial de novo - actually a new trial, not just a review of the conciliation court

2010 District Court Case Filing Information	
Major criminal (serious and other felony, gross misdemeanor, DWI, other gross misdemeanors)	55,979
Major civil (personal injury, contract, property damage, harassment, other)	42,135
Probate/Mental Health (trust, guardianship/conservator, commitment, estate/other probate)	14,620
Major Family (dissolution w/child, dissolution w/o child, child support, domestic abuse, other family)	49,411
Juvenile (delinquency felony, delinquency gross misdemeanor, juvenile petty offender, dependency/neglect, truancy)	44,573
Major Case Total	206,718
Minor Civil (implied consent, unlawful detainer, conciliation)	149,100
Minor Criminal (5 th degree assault, parking, non-traffic misdemeanor, petty misdemeanor, misdemeanor DWI, other traffic)	1,288,443
Grand Total	1,644,261

Court of Appeals

19 Members, 3-Judge Panels

Chief Judge Matthew Johnson Judge: 2008 - Nov. 2010, Chief Judge: Nov. 2010 - present
Judge Harriet Lansing 1983 - present
Judge Thomas Kalitowski 1987 - present
Judge Roger Klaphake 1989 - present
Judge Randolph Peterson 1990 - present
Judge Edward Toussaint, Jr. Chief Judge: 1995 - Nov. 2010, Judge: Nov. 2010 - present
Judge Gordon Shumaker 1998 - present
Judge Jill Flaskamp Hallbrooks 1998 - present
Judge Terri Stoneburner 2000 - present
Judge David Minge 2002 - present
Judge Natalie Hudson 2002 - present
Judge Wilhelmina Wright 2002 - present
Judge Renee Worke 2005 - present
Judge Kevin Ross 2006 - present
Judge Heidi Schellhas 2008 - present
Judge Francis Connolly 2008 - present
Judge Michelle Larkin 2008 - present
Judge Larry Stauber, Jr. 2008 - present
Judge Louise Bjorkman 2008 - present

Appeals from:

District court decisions (except first-degree murder convictions),
Administrative agency decisions (except Tax Court & Workers’
Compensation Court), decisions of local governments

Original Actions:

Writs of mandamus or prohibition, which order a trial judge or
public official to perform a certain act or not perform

2010 Court of Appeals Case Information		
	Cases Filed	Dispositions
General Civil	568	669
Criminal	695	711
Administrative Rule	2	2
Economic Security	315	345
Writs - Certiori	78	101
Habeas / Certified Questions	41	40
Commitment	55	38
Family	268	239
Juvenile Delinquency	24	28
Juvenile Protection	54	47
Implied Consent	20	20
Discretionary Review / Writs	82	82
Total	2,202	2,322

Matthew E. Johnson

Appointed Chief Judge



Matthew E. Johnson was appointed by Governor Tim Pawlenty as Chief Judge of the Minnesota Court of Appeals, effective November 1, 2010, to a term expiring October 31, 2013. He had served as a judge on the Court of Appeals since January 2008.

Prior to being appointed to the bench, Chief Judge Johnson was in private practice in Minneapolis, Minnesota, at the law firm of Hal-
lendale Lewis Nilan & Johnson, P.A. (now known as Nilan Johnson
Lewis, P.A.). He previously practiced at the law firms of Smith
Parker, P.L.L.P., and Popham Haik Schnobrich & Kaufman, Ltd.

Chief Judge Johnson graduated from Saint Olaf College in 1985 with a B.A. degree in Economics. He graduated from the William Mitchell College of Law in Saint Paul, Minnesota, in 1992.

Following graduation he served as a law clerk for Chief Judge Charles R. Wolle of the United States District Court for the Southern District of Iowa from 1992 to 1993, and for Judge David R. Hansen of the United States Court of Appeals for the Eighth Circuit from 1993 to 1994.

Edward Toussaint, Former

Chief Judge of the

Court of Appeals

Edward Toussaint, Jr., was appointed Chief Judge in 1995 and reappointed in 1998, 2001, 2004, and 2007, making him the longest serving Chief Judge of the Court since its creation in 1983. He was also the Court's first African American member. He will retire from the Court of Appeals in July 2011.



“Edward has the singular distinction of having been appointed by three different governors – from three different parties,” noted former Chief Justice Kathleen Blatz in December 2005 when she presented him with the Chief Justice Award for his contributions to the Minnesota judiciary and to the improvement of the administration of justice. “This alone is testament to the high esteem in which he is held within the legal profession, across the political spectrum, and by all who know him or of him,” said Blatz. “In every institution there are a handful of people who stand out as exemplifying the best characteristics of all of its members. For us, it’s Edward Toussaint.”

“As chief judge, Edward Toussaint served the Court of Appeals and the people of Minnesota with diligence, wisdom, and sensitivity,” said Matthew E. Johnson, who was appointed to succeed Judge Toussaint. “He had a strong, positive impact on everyone who worked with him or encountered him. All of his colleagues wish him the very best of luck in the next phase of his professional life.”

“During Edward’s administration we were able to keep pace with growing caseloads and, when Edward stepped, the cases awaiting scheduling had been reduced from a number that at one time exceeded 700 to less than 100,” said Judge Harriet Lansing, the longest serving member of the Court of Appeals. “Part of that was accomplished through the addition of judges to the court. Edward’s excellent trust level with the Legislature made that possible. Edward encouraged innovation through his support of the Family Law Appellate Mediation Program. And his warm, supportive, and trustworthy character fostered great collegiality among the judges and all of the other people who work at the court.”

During his tenure, Judge Toussaint served on the Minnesota Judicial Council and was elected president of the National Council of Chief Judges. He is the recipient of the 1994 Founders Award from the Minnesota Minority Lawyers Association, the 2000 Award of Professional Excellence from the Minnesota State Bar Association, the 2002 Distinguished Service Award from the National Center for State Courts, and the 2010 Outstanding Service to the Profession recognition as part of Minnesota Lawyer’s Attorneys of the Year Awards.

Upon his retirement, he will join the faculty of William Mitchell College of Law.

Court of Appeals Reduces Backlog; Mediation Program Established

The Minnesota Court of Appeals provides citizens with prompt, deliberate review of all final decisions of the district courts and some final decisions of state agencies and local governments. Decisions of the Court of Appeals are the final judicial decision in approximately 95 percent of the cases filed in the state appellate courts of Minnesota.

In the past year, the Court of Appeals decided 92 percent of its appeals within one year, which exceeds the timeliness standards recommended by the American Bar Association. This was a substantial improvement over 2009, when the Court decided 79 percent of its appeals within one year. By statute, the Court of Appeals must issue a decision within 90 days of an oral argument or a non-oral submission, which is the shortest deadline of any appellate court in the nation.

A substantial backlog of cases had developed between 2002 and 2007, which delayed the scheduling of oral arguments and non-oral submissions. In January 2008, the Court of Appeals expanded from 16 to 19 judges, and that expansion is primarily responsible for allowing the Court to reduce the delays that previously occurred between briefing and oral arguments and non-oral submissions.

In 2010, the Court of Appeals concluded its successful Family Law Mediation Pilot Program, which resulted in voluntary settlements of more than half of the family law cases that were mediated. With the assistance of certified mediators, litigants and lawyers saved considerable time and expense that otherwise would have been incurred by briefing and oral argument. In addition, Program allowed the Court of Appeals to resolve those appeals far more inexpensively than if the appeals had been decided by three-judge panels. In December 2010, the Supreme Court approved new rules that made the mediation program permanent, effective January 2011.

Supreme Court

7 members, En Banc panel

Appeals from:

Court of Appeals decisions

Trial court decisions if Supreme Court chooses to bypass the Court of Appeals

Tax Court decisions, Workers' Compensation Court of Appeals

Original Actions:

Review of all first-degree murder convictions

Writs of Prohibition, Writs of Habeas Corpus, Writs of Mandamus

Legislative election disputes

Chief Justice Lorie S. Gildea Associate Justice: 2006 - June 2010, Chief Justice: July 2010 - present
Associate Justice Alan C. Page 1993 - present
Associate Justice Paul H. Anderson 1994 - present
Associate Justice Helen M. Meyer 2002 - present
Associate Justice G. Barry Anderson 2004 - present
Associate Justice Christopher J. Dietzen 2008 - present
Associate Justice David R. Stras July 2010 - present
Chief Justice Eric J. Magnuson 2008 - June 2010

2010 Supreme Court Case Information		
Direct Appeals		
	Cases Filed	Disposi- tions
Workers' Compensation	15	16
Civil	8	9
Tax Court	5	6
Attorney Discipline	41	46
Writs	0	0
First Degree Homicide	29	37
Total Direct Appeals	98	114
Petitions for Further Review (PFR)		
Filed		674
Denied		571
Granted Further Review		83
Other		22
Dispositions		
Affirmed		29
Mixed		6
Remand / Reverse		30
Other Decision / Dismissal		2
Total		67

David Stras Joins Supreme Court



David Stras became an Associate Justice of the Minnesota Supreme Court on July 1, 2010. His current term expires in Jan. 2013. Prior to his appointment by Governor Tim Pawlenty, Justice Stras was a member of the faculty of the University of Minnesota Law School from 2004 through 2010.

“Professor Stras is recognized as one of the brightest legal scholars in Minnesota,” Governor Pawlenty said in announcing the appointment. “He is extremely well-versed in appellate matters and is currently of counsel at Faegre & Benson, LLP, specializing in assisting clients in cases before the Minnesota and federal appellate courts. I am impressed with his tremendous intellectual and legal abilities. He will be a strong presence on the Minnesota Supreme Court for many years.”

Justice Stras taught and wrote in the areas of federal courts and jurisdiction, constitutional law, criminal law, and law and politics. In addition, Stras was co-director of the Institute for Law and Politics at the University of Minnesota. He has also served as of counsel to the law firm of Faegre & Benson LLP in their appellate advocacy group.

Justice Stras received his Bachelor of Arts degree, with highest distinction, and his Master of Business Administration from the University of Kansas. He also received his law degree from the University of Kansas School of Law.

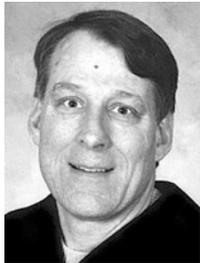
Minnesota Judicial Council

Membership for Fiscal Year 2010

Hon. Lorie S. Gildea (Chair) <i>Chief Justice, Supreme Court</i>	Hon. Peter Irvine <i>Chief Judge, Seventh District</i>
Hon. John Rodenberg (Vice-Chair) <i>Judge, Fifth District</i>	Hon. Steven E. Drange <i>Chief Judge, Eighth District</i>
Hon. G. Barry Anderson <i>Associate Justice, Supreme Court</i>	Hon. Gerald J. Seibel <i>Judge, Eighth District</i>
Hon. Matthew Johnson <i>Chief Judge, Court of Appeals</i>	Hon. Jon A. Maturi <i>Chief Judge, Ninth District</i>
Hon. Thomas J. Kalitowski <i>Judge, Court of Appeals</i>	Hon. Timothy R. Bloomquist <i>Chief Judge, Tenth District</i>
Hon. Edward Lynch <i>Chief Judge, First District</i>	Sue K. Dosal <i>State Court Administrator</i>
Hon. David L. Knutson <i>Judge, First District</i>	Jeffrey G. Shorba <i>Deputy State Court Administrator</i>
Hon. Kathleen R. Gearin <i>Chief Judge, Second District</i>	Larry Dease <i>District Administrator, Second District</i>
Hon. Robert R. Benson <i>Chief Judge, Third District</i>	Timothy Ostby <i>District Administrator, Seventh and Eighth Districts</i>
Hon. James T. Swenson <i>Chief Judge, Fourth District</i>	Michael Moriarity <i>District Administrator, Tenth District</i>
Hon. Denise D. Reilly <i>Judge, Fourth District</i>	Chuck Kjos <i>Court Administrator, Olmsted County</i>
Hon. Douglas L. Richards <i>Chief Judge, Fifth District</i>	Hon. Susan Miles <i>MDJA President, Tenth District</i>
Hon. James B. Florey <i>Chief Judge, Sixth District</i>	

Minnesota Judicial District Chief Judges

Fiscal Year 2010



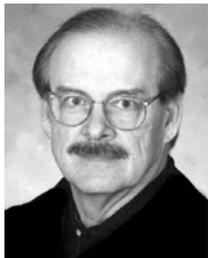
Hon. Jon A. Maturi
9th Judicial District



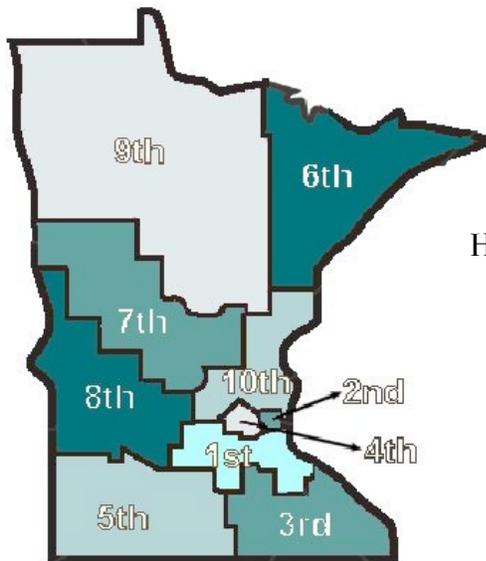
Hon. James B. Florey
6th Judicial District



Hon. Timothy R. Bloomquist
10th Judicial District



Hon. Peter Irvine
7th Judicial District



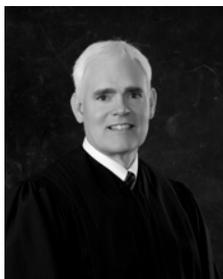
Hon. Kathleen R. Gearin
2nd Judicial District



Hon. Steven E. Drange
8th Judicial District



Hon. James T. Swenson
4th Judicial District



Hon. Douglas L. Richards
5th Judicial District
Minnesota Judicial Branch



Hon. Edward Lynch
1st Judicial District



Hon. Robert R. Benson
3rd Judicial District